

### **AMENDMENTS TO THE SPECIFICATION:**

Please replace the paragraph beginning on page 27, line 27 and ending on page 28, line 9, with the following amended paragraph:

Here, an example is shown for applying to mobile apparatus such as a cellular phone and a personal digital terminal, and digital cameras and others. In an imaging apparatus 1 of this embodiment, 102 is an imaging unit which has a ~~penetration~~ transmittance variable element 101 and, an optical system and an imaging element. 103 is a display part for checking a photographing state. 104 is a check part which checks the photographing state displayed on the display part 103. 105 is an operation part for choosing an optical system of a desired specification. Moreover, 106 is a control part for controlling the transmittance variable element 101. 107 is a power supply part which supplies electric power to each function part which needs electric power. ~~105~~ 108 is a recording part which records a photographed picture.